

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

CARLOS WILLIAMS

PLAINTIFF

V.

CIVIL ACTION NO. 3:17-CV-401-DPJ-FKB

JUSTICE KITCHENS, JUSTICE RANDOLPH,  
AND JUSTICE COLEMAN

DEFENDANTS

ORDER

This § 1983 action is before the Court on the Report and Recommendation [22] of Magistrate Judge F. Keith Ball. Plaintiff Carlos Williams was convicted of capital murder in state court in 1998 and sentenced to life imprisonment. He filed this suit against the three Mississippi Supreme Court justices who dismissed his petition for post-conviction relief in 2017, asking this Court to declare that they violated his constitutional rights.

Defendants moved to dismiss the action on multiple grounds, including the *Rooker-Feldman* doctrine, Eleventh Amendment immunity, failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), and judicial immunity. Defs.’ Mot. [17] at 2. Williams filed a “motion for leave to amend and supplement exhibits and appendix,” but did not respond in opposition to the motion to dismiss. Pl.’s Mot. [18].<sup>1</sup>

Judge Ball recommended granting the motion to dismiss under the *Rooker-Feldman* doctrine, which precludes a federal court from reviewing the validity of a state-court judgment. R. & R. [22] at 2 (citing *Dist. of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983);

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<sup>1</sup> While Williams included the term “amend” in his title, he did not actually seek to amend his Complaint. Instead, he acknowledged receipt of Defendants’ motion and took issue with their failure to include his “exhibits and/or appendix” to the copy of his Complaint that was attached as an exhibit to the motion. See Pl.’s Mot. [18] ¶ 3. So, the apparent purpose of Plaintiff’s motion was to add these “exhibits and/or appendix” to the record. *Id.*

*Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *Moore v. Tex. Court of Criminal Appeals*, 561 F. App'x 427, 431 (5th Cir. 2014) (affirming dismissal of § 1983 suit against state-court judges stemming from their review of plaintiff's habeas petition under *Rooker-Feldman* doctrine)).<sup>2</sup>

Williams did not file an objection, and the time to do so has passed.

Accordingly, the Court adopts the unopposed Report and Recommendation [22] of the magistrate judge. Respondent's motion to dismiss [16] is granted; this action is dismissed.

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED** this the 3rd day of April, 2018.

s/ Daniel P. Jordan III  
CHIEF UNITED STATES DISTRICT JUDGE

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<sup>2</sup> Other grounds for dismissal exist as well.